

Replacement Paragraph 1 (page 15, lines 4-14)

The flask 10 has a top 80 which extends between the sides 48 and 50. It is formed from and with the first panel 11 and the second panel 12. The top 80 as better seen in FIGS. 1, 1A and 2 is triangular in appearance with a first section 82 extending from side 48 to middle section 84 a distance 86 at an angle 88 which is here shown to be about 45 degrees. The angle 88 may be from about 30 degrees to about 60 degrees. The top 80 has a second section 90 which extends from the side 50 to the middle section 84 a distance 92 which is preferably the same as distance 86 and at an angle 94 which is selected to be the same as angle 88. Thus the top 80, in side view as depicted, may be likened to an isosceles triangle with sections 82 and 90 as the legs and an imaginary line between the sides 48 and 50 at their intersection with the sections 82 and 90 as the base.

Replacement Paragraph 2 (page 16, lines 7-18)

The length 122 and the width or height 108 of the first part 120 is selected to provide sufficient surface to effect a good mechanical bond or seal to hold the first panel 11 or second panel 12 thereto. The length or distance 122 may be from about one-half an inch to about two inches but is here selected to be about one inch. The distance 122 of one inch has been found to be suitable for a spout 62 having a length 110 of about two inches to three inches and specifically about two and three eighths inches. Such a spout may have a neck 70 which is circular in cross section with an inside diameter 130 of about three fourths of one inch. The grooves 124-126 all have about the same width 132 with the height 108 in total being from about three eighths of one inch to one inch with a preferred height 108 of about seven sixteenths of one inch. The depth 128 of each groove may vary but are here all the same and may be from about one millimeter to about three millimeters with the depth 128 of about two millimeters being preferred.

Replacement Paragraph 3 (page 17, line 12 to page 18, line 7)

In FIG. 2, it can be seen that section 82 is sized in length 86 to receive the second spout 64 between the first panel 11 and the second panel 12 along the perimeter seal 36. In the illustrated flask 10, the spout 64 is sized in length 150 the same as the length 110 of the first spout 62. When the second spout 64 is sealed into place in the section 82, an upper extension 152 and a lower extension 154 are formed so that each is sized in length 156 and 158 respectively about the same. The lengths 156 and 158 are selected to provide a secure connection or seal area extending from the second spout 64. That is, the spout 64 transmits torques or forces to the perimeter seal 36. For example, rotating the cap 78 on and off creates torque or forces. Various other forces may be applied to the neck 76. The torques or forces can act to urge the first panel 11 away from the second panel 12. It has been found that forming the upper extension 152 and a lower extension 154 to be sized in length 156 and 158 respectively from about one-half inch to about one and one-half inches stabilizes the perimeter seal 36 and limits the risk of damage to the perimeter seal 36 along the second section 82 from the torques or forces that are from time to time transmitted to the perimeter seal 36 by the second spout 64. Sizing the upper extension 152 and the lower extension 154 to be about three fourths of an inch has been found to be suitable for a spout 64 having an overall length 150 of about two and three eights of an inch and a width 113 (as shown in FIG. 3) of about one and one eighth of an inch.

Replacement Paragraph 4 (page 19, lines 4-5)

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It may be noted that the perimeter seal 36 of depth 38 is greater at the corners 168-171 because the corners are believed to receive the greatest structural stress in use.

Replacement Paragraph 5 (page 19, lines 9-16)

A10
FIGS. 7 and 8 show a flask 180 made in a manner comparable to the flask 10 of FIG. 1.

It has front panel 182 and a back panel 184 with a bottom panel 186 assembled substantially as described. The upper portion 188 is formed to have a first section 190 extending away from the right side 192 at an angle 194 from about 30 degrees to about 60 degrees and preferably about 45 degrees to intersect a top section 196. The top section 196 intersects the left side 198 at a right angle 200 as shown but may intersect at any angle 200 from fifteen degrees to substantially more than 90 degrees and as much as 150 degrees.

Replacement Paragraph 6 (page 19, line 17 to page 20, line 9)

A11
In FIGS. 7 and 8, a first spout 202 is shown which is the same in size and shape as the spout 62 shown in FIG. 13. It is positioned in the first section 190 of the perimeter 191 and sealed between the front panel 182 and the rear panel 184 with extensions 204 and 206 formed and sized in length 207 and 208 to be substantially the same for the reasons as stated in reference to extensions 152, 154, 160 and 162 shown in FIG. 2. A second spout 210 is shown positioned in the front panel 182 sealed to and in the front panel 182. The second spout 210 has a base 212 which is connected to the front panel 182 by an adhesive, by heat sealing or by a mechanical seal, as may be desired. The second spout 210 has a cap 214 which is threaded onto the neck 216 of the second spout 210 to effect a seal comparable to that shown in FIG. 13 for the spout 62. The cap 214 may be attached by other means to form a friction seal or any other kind of seal effective to retain the liquid in the interior of a flask or other container. The second spout 210 has a neck 216 substantially circular in cross section with a diameter 218 selected to pass ice or other selected solid material that is larger in cross section or shaped so that it may not fit through the neck 211 of the first spout 202.

Replacement Paragraph 7 (page 20, lines 10-12)

A12

FIG. 9 shows a flask 220 shaped and sized comparable to flask 180 with a portion 222 shown in phantom to reflect that the flask may have differing lengths 224 and widths 226.

Replacement Paragraph 8 (page 21, lines 7-11)

A13

Notably the second spout 246 is comparable to spout 210 and is positioned near the top of the flask 230 to receive liquids without the need to remove the cap 234 for access and to insert ice cubes. Thus a user need not remove the cap 234 and the transport tube 236 to insert liquids or other materials such as ice, and thereby run the risk of contaminating the cap 234 and the tube 236 from contact or association with other surfaces.

Replacement Paragraph 9 (page 25, lines 1-6)

A14

The tube 306 as shown may vary in length 307 so that the flask 300 may be positioned where desired. Thus the tube 306 may be sized to extend from the area of a backpack over the shoulder of the user and around the collar area with the distal end 309 having the bite valve attached thereto so that the user can, when desired, insert the bite valve 308 into his or her mouth and operate it by clamping down and releasing the user's jaw.

Replacement Paragraph 10 (page 25, lines 7-14)

A15

FIGS. 14 and 15 also show the second spout 334 having a second cap 336 threadedly connected to the spout 334. The spout 334 has threads 338 that mate with cap threads 340 to effect the threaded connection. Connector means is associated with the cap 336 so that liquids and more specifically air can be communicated through the cap 336. The connector means here shown is air connector 342 which is here formed with an aperture 344 sized to snugly receive the proximal end 346 of tube 348. An adhesive is preferably provided to ensure there is a secure and air-tight connection between the proximal end 346 and the aperture 344.

Replacement Paragraph 11 (page 26, lines 1-11)

The air connector 342 has a flange 358 that has an upper surface 360 for mating snugly with the undersurface 366 of the top 364 of the second cap 336. Thus a seal is effected between and by the undersurface 366 and the upper surface 360 of the flange 358. Specifically both are made of materials that can effect the seal such as plastics or plastic-like materials (e.g., nylon, nylon compositions, Teflon®, polyurethane and the like). Of course the flange 358 has an undersurface 360 that mates with the top rim or edge of the spout 334. The undersurface 360 can also deform to effect a seal when the upper rim or edge of the spout 334 has imperfections that would otherwise allow for some leakage. The air connector 342 has an interior channel 368 into which a short extension 370 is optionally connected to present a distal end 372 away from the threads 340.

Replacement Paragraph 12 (page 27, lines 1-9)

The pump assembly 376 here shown includes a pump mechanism which is the bulb 378 that connects to a valve structure 380. The valve structure 380 attaches to the distal end 382 of the tube 348. A small piece of tubing 384 is provided made of material similar to the tube 306. It simply functions as an adaptor to accommodate for the differences in size between the tube 348 and the barbed connector 386 of the valve structure. The valve structure 380 has a valve stem 388 that has a top 390 operable by the fingers of a user. The valve stem 388 has a threaded collar 392 that connects to a threaded neck 394 so that the tip 396 can be urged against an internal valve seat in the valve body 398.

Replacement Paragraph 13 (page 28, line 17 to page 29, line 3)

In operation, it can be seen that the user would place the valve 380 in an open position by operating the handle 390. Then the bulb 378 is manipulated repetitively to pump air into the interior 310 of the flask 300. The check valve 418 operates to inhibit the movement of air out of

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assembly when the interior pressure within the interior 426 of the bulb 378 exceeds atmospheric pressure. When the bulb 378 is in the second position 408 and released, a pressure below ambient will draw air from the tube 348 and from exterior the bulb 378 through check valve 418 to fill the bulb 378. The valve 380 can be adjusted to reduce the return of air from the tube 348 and also to seal the tube and retain the air in the flask 300 at the pressure then obtained.

IN THE DRAWINGS

Please enter the indicated minor corrections to FIGS. 2, 3, 7, 9, 10, 12, 13 and 14. Copies showing the corrections in red ink are attached. No new matter is involved.

REMARKS

Upon entry of this amendment, claims 1-34 and 36 will remain pending.

PROCEDURE

This application is a continuation of serial 09/770,921 filed January 16, 2001. After filing, the applicants elected to abandon the parent and file the present continuation to avoid publication of the parent and to allow the applicants to withdraw the present application from publication.

The Express Abandonment of the parent was sent by express mail on June 15, 2001. An Office Action in the parent application was mailed on June 27, 2001. Inasmuch as the present application is identical substantively, applicants here file this Preliminary Amendment to address the issue raised in the Office Action and to make other administrative corrections. Upon entry, this application should be ready for allowance.

IN THE CLAIMS

Claims 1-35 stand rejected under 35 U.S.C. § 112, ¶ 2. More particularly, independent claims 1, 27 and 32 stand rejected as indefinite for failing to distinctly claim the subject matter